

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 13, 14, 18-20, 26, and 27 are pending in the application, with claims 13, 19, 20, and 26 being the independent claims. Claim 20 has been withdrawn from consideration. Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 102

In the Office Action, claims 18, 19, 26, and 27 were rejected under 35 U.S.C. §102(e) as being anticipated by Monte et al, U.S. Patent No. 6,023,606 (Monte). Applicants respectfully traverse this rejection.

Monte relates generally to a system for accurately accounting for an amount of satellite communications system resources that are used by a user terminal on a per call basis. (Monte, Abstract). Monte does not teach or suggest each and every element of Applicants' independent claim 19. In support of the rejection of claim 19, the Examiner cites a passage in Monte which describes that a gateway 18 may transmit a pilot channel to the user terminal which enables the user terminal to acquire the timing of the forward channel. (Monte, col. 8, line 65 - col. 9, line 2). However, this passage, and Monte generally, do not teach or suggest, at least, "transmitting to each of said transceivers a forward frequency channel allocation signal indicating an allocation of one or more forward frequency channels which that transceiver is to receive," as recited in independent claim 19.

Monte describes that the return link may or may not be assigned a different channel than the channel assigned on the forward link. (Monte, col. 4, lines 5-14). However, Monte does not teach or suggest, at least, that a respective return channel allocation signal is transmitted "in at least one of said forward frequency channels assigned to the transceiver," as recited in independent claim 19.

In further support of the rejection, the Examiner cites a passage in Monte which appears to describe that a resource allocation (RA) module assigns channels, maximum power levels, etc. to individual ones of the gateways. (Monte, col. 11, line 60 - col. 12, line 11). However, this passage and Monte generally, do not teach or suggest, at least, that "for each forward frequency channel, a set of preferred return frequency channels is stored, such that for each of said transceivers to which a specified one of said forward frequency channels is allocated, the allocated one or more return frequency channels is preferentially selected from said corresponding set of preferred return frequency channels," as recited in independent claim 19.

For at least these reasons, independent claim 19 is patentable over Monte. Reconsideration and withdrawal of the rejection is respectfully requested.

Monte also does not teach or suggest each and every element of Applicants' independent claim 26. In support of the rejection of claim 26, the Examiner cites a passage in Monte which describes that data which are stored in a terrestrial control center and which indicate the portion utilized on both a forward link and on a reverse link of the overall system resources, are used to derive predicted resource allocation and resource scheduling information for the gateway. (Monte, col. 1, line 55 - col. 2, line 5). However, this passage and Monte generally, do not teach or suggest, at least, "predicting,

on the basis of said monitoring step, a demand for capacity in said channel by said transceiver" where the "channel is shared with transmission by other transceivers," as recited in independent claim 26. In addition, this passage and Monte generally, do not teach or suggest "transmitting to said transceiver an allocation signal indicating an allocation in said channel determined according to the predicted demand," as recited in independent claim 26.

For at least these reasons, independent claim 26 is patentable over Monte. Claims 18 and 27 depend from claim 26. For at least the above reasons, and further in view of their own features, dependent claims 18 and 27 are patentable over Monte. Reconsideration and withdrawal of the rejection is therefore respectfully requested.

Allowed Claims

Applicants acknowledge with appreciation the Examiner's indication that claims 13 and 14 are allowed.

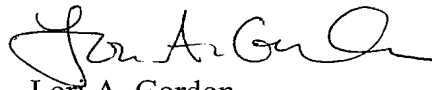
Conclusion

All of the stated grounds of objection and/or rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and/or rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Lori A. Gordon". The signature is fluid and cursive, with the first name "Lori" being more prominent.

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